IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO: 7116 of 2005

Between:

1 B.Laxman S/o late Sailoo, Occ: Plumber R/o 5-138

Narsingi village, Rajenderanagar Mandal, Ranga Reddy

District.

2. B.Subash S/o late Anjaiah, Electrician, R/o 5-137

Narsingi village, Rajendranagar, R.R.District.

.... PETITIONERS

AND

1. District Collector, Ranga Reddy District

2. District Panchayat Officer, Ranga Reddy District

3. Mandal Panchayat Officer, Rajendranagar Mandal,

R.R.District

4. Sarpanch, Gram Panchayat, Narsingi village, Rajendranagar Mandal, Ranga Reddy District.

5. Srisailam S/o late Shankaraiah R/o H.No.5-136, Narsingi

village, Rajendranagar Mandal, R.R.District.

6. M.Narasimha S/o Balakistaiah, R/o H.No.5-131,

Narsingi village, Rajenderanagar Mandal, Ranga Reddy

District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in not taking action against the illegal construction by the unofficial respondents by encroaching upon the public pathway situated opposite to the house of the petitioners herein as illegal and bad and accordingly issue a direction to the Respondents to stop the construction forthwith and to pass such other order or orders as this Hon'ble Court may deems fit and proper.

Counsel for the Petitioner: MR.Y. Ashok Raj

Counsel for the Respondents: G.P. for Panchayat Raj & Rural Development

The Court at the stage of admission made the following:

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ORDER:

Heard learned counsel for the petitioners and the learned Government Pleader for Panchayat Raj and Rural Development, appearing for respondents 1 to 3.

This writ petition is filed aggrieved by the alleged inaction on the part of the respondents 1 to 4 in taking necessary action on the basis of the complaints of the

petitioners dated 09.03.2005 and 15.03.2005, wherein they have alleged that the respondents 5 and 6 herein, are proceeding with unauthorized constructions in front of the house of respondents 5 and 6 situated at Kummara Basti, 10th ward, Narsing village, and thereby causing inconvenience to the public.

Having regard to the facts and circumstances of the case, without expressing any opinion as to the correctness of the allegations made by the petitioners, the writ petition is disposed of with a direction to the respondents 1 to 4 to consider the complaints of the petitioners dated 09.03.2005 and 15.03.2005 and to pass appropriate orders in accordance with law, after affording due opportunity to the respondents 5 and 6 to rebut the allegations made against them, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of this order. No costs.

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01.04.2005

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To

1. District Collector, Ranga Reddy District

2. District Panchayat Officer, Ranga Reddy District

3. Mandal Panchayat Officer, Rajendranagar Mandal,

R.R.District

4. 2 CCs to G.P for Panchayat Raj & Rural Development,

High Court Buildings, Hyderabad (OUT)

5. 2 CD copies.

6. Sarpanch, Gram Panchayat, Narsingi village, Rajendranagar Mandal, Ranga Reddy District.